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**UNITED STATES DISTRICT COURT
CLARK COUNTY, NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL NAEGER,

Defendant.

CASE No. 2:21-cr-00165-JCM-BNW

**STIPULATION AND ORDER TO
CONTINUE SENTENCING**

(SECOND REQUEST)

IT IS HEREBY STIPULATED BY AND BETWEEN Defendant, PAUL NAEGER, through his counsel, LANCE J. HENDRON, ESQ. of the law firm of HENDRON LAW GROUP, LLC, and Plaintiff, United States of America, through its counsel, Christopher Chiou, Acting United States Attorney, Jim Fang, Assistant United States Attorney, that the sentencing in the above-captioned matter currently set for February 23, 2021 at 10:30 a.m. . be continued to a date and time convenient to the Court, but no sooner than ninety (90) days from the current scheduled hearing.

This Stipulation is entered into for the following reasons:

1. That Defendant is still gathering material for purposes of presenting at his sentencing and sentencing memorandum;
2. That counsel for Defendant has spoken with Jim Fang, Assistant United States Attorney who has no objection to the continuance;
3. Defendant is not in custody and does not oppose this continuance;
4. That denial of this request for continuance could result in a miscarriage of justice; and

1 5. That additional time requested by this Stipulation is excludable in computing
 2 the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title
 3 18, United States Code, Section 3161 (h)(7)(A), when considering the factors under Title 18,
 4 United States Code, Section 3161(h)(7)(b)i and 3161 (h)(7)(b)(iv). In addition, the continuance
 5 sought is not for of delay and the ends of justice are in fact served by the granting of such a
 6 continuance which outweigh the best interest of the public and the defendant in a speedy trial.

7
 8 **DATED** this 17th day of February, 2022.

9
 10 Respectfully Submitted,

11 /s/ Lance J. Hendron
 12 Lance J. Hendron, Esq.
 13 Attorney for Defendant, Paul Naeger

14 /s/ Jim Fang
 15 Christopher Chiou,
 16 Acting United States Attorney,
 17 Jim Fang,
 18 Assistant United States Attorney
 19 Attorney for United States

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5
6 **UNITED STATES DISTRICT COURT
CLARK COUNTY, NEVADA**

7 **UNITED STATES OF AMERICA,**

CASE No. 2:20-mj-00892-VCF

8 Plaintiff,

9
10 vs.

11 **PAUL NAEGER,**

12 Defendant.
13

14 **FINDINGS OF FACTS**

15 Based on the pending Stipulation of Counsel, and good cause appearing therefore, the
16 Court finds that:

17 1. That Defendant is still gathering material for purposes of presenting at his
18 sentencing and sentencing memorandum;

19 2. That counsel for Defendant has spoken with Jim Fang, Assistant United States
20 Attorney who has no objection to the continuance;

21 3. Defendant is not in custody and does not oppose this continuance;

22 4. That denial of this request for continuance could result in a miscarriage of
23 justice; and

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5. That additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), when considering the factors under Title 18, United States Code, Section 3161(h)(7)(b)i and 3161 (h)(7)(b)(iv). In addition, the continuance sought is not for of delay and the ends of justice are in fact served by the granting of such a continuance which outweigh the best interest of the public and the defendant in a speedy trial.

IT IS HEREBY ORDERED, that the sentencing, currently scheduled for February 23, 2022, at the hour 10:30 a.m., be vacated and continued to May 28, 2022 at the hour of 10:00 a.m. in courtroom 6A.

James C. Mahan

 HONORABLE JAMES C. MAHAN
 UNITED STATES DISTRICT COURT JUDGE